

M0450065

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FAX COVER SHEET

TO: Paul Baker

FAX NUMBER: 801-359-3940

FROM: Clay W. Stucki

PAGES (WITH COVER): 3

DATE May 19, 2006

ORIGINAL TO FOLLOW

RE:

COMMENTS:

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MAY 19 2006

DIV. OF OIL, GAS & MINING



May 19, 2006

Division of Oil, Gas & Mining
Attention: Susan M. White
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801

Re: Lime-A-Way, LLC

Dear Susan:

My client, Lime-A-Way, LLC, hereby officially withdraws the Notice of Intention to Commence Large Mining Operations first filed by my client on February 10, 2005 (the "*Old NOI*"). As you know, all of the land, including the minerals rights, surrounding and including the Toppliff Mine limestone quarry (the "*Mine*") is being sold to a new, larger operator, Lafarge North America, Inc. or its affiliates (collectively "*Lafarge*"). Because Lafarge will substantially change and increase the smaller operations previously contemplated by Lime-A-Way, and because Lafarge is already in the process of compiling a much more comprehensive mining and reclamation plan for the Mine, it doesn't make sense for DOGM to continue to process the Old NOI.

Until the Mine is transferred to Lafarge, we understand and agree that Lime-A-Way remains the legally responsible party for the Mine. Lime-A-Way will continue to cooperate with Lafarge and DOGM until Lafarge takes ownership of the Mine and the property later this year.

In the meantime, Lime-A-Way has submitted a very simple Notice of Intention to Commence Small Mining Operations for a five (5) acre area at the Mine (the "*New NOI*") along with the required \$150.00 application fee. Please transfer the \$47,600.00 reclamation surety that was previously submitted in conjunction with the Old NOI to the New NOI.

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DIV. OF OIL, GAS & MINING

Division of Oil, Gas and Mining
Attention: Susan M. White
May 19, 2006
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Thank you for your help in this matter. If you have any questions with regard to the New NOI, please do not hesitate to call me.

Sincerely,
BENNETT TUELLER JOHNSON & DEERE
Legal Counsel for Lime-A-Way, LLC

By: 
Clay W. Stucki

cc: Paul Baker
Beth Ericksen

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MAY 19 2006

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